

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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|---------------------------|---|---------------------------|
| _____ |) | |
| DAVID M. GOLDEN, et. al., |) | |
| Plaintiffs |) | |
| |) | |
| v. |) | CIVIL ACTION NO: 04-10835 |
| |) | |
| COUNTY OF SUFFOLK, |) | |
| Defendant |) | |
| _____ |) | |

DEFENDANT SUFFOLK COUNTY'S MOTION FOR SUMMARY JUDGMENT

Now comes the Defendant, Suffolk County, and pursuant to Fed.R.Civ.P. 56(c) respectfully requests that this Honorable Court grant summary judgment in its favor.

As grounds therefore, Suffolk County contends that no genuine issues of material fact exist and it is entitled to Judgment as a Matter of Law on both Counts of the Plaintiffs' Complaint. Suffolk County further relies on the attached Memorandum of Law and Exhibits.

Respectfully submitted for,
Defendant, Suffolk County
By its attorney,

Date: November 9, 2007

/s/ Alison G. Fabella
Alison G. Fabella
BBO#654858
Assistant General Counsel
200 Nashua Street
Boston, MA 02114
(617) 961-6678

Local Rule 7.1 Certification

I hereby certify that I conferred with counsel for the Plaintiff in an attempt to narrow the issues raised by Defendant's Motion for Summary Judgment.

/s/ Alison G. Fabella
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